



# Council Minutes

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**Meeting #:** R18/2024  
**Date:** October 23, 2024  
**Time:** 4:00 pm  
**Location:** CVRD Civic Room, 770 Harmston Ave, Courtenay

**Council Present:** B. Wells (Mayor)  
W. Cole-Hamilton  
D. Frisch  
D. Hillian  
E. Jolicoeur  
M. McCollum  
W. Morin

**Staff Present:** G. Garbutt, City Manager (CAO)  
C. Davidson, Director of Engineering Services  
A. Langenmaier, Director of Financial Services  
K. O'Connell, Director of Corporate Services (CO)  
S. Saunders, Director of Recreation, Culture & Community Services  
K. Shaw, Director of Public Works Services  
M. Wade, Director of Development Services  
E. Chow, Manager of Legislative Services  
J. Schile, Manager of Development Planning  
J. Tazzioli, Manager of Engineering, Environmental Projects  
J. Bays, Community Development Coordinator  
L. Bourgeois, Deputy Corporate Officer

## 1. CALL TO ORDER

Mayor Wells called the meeting to order at 4:00 pm and respectfully acknowledged that the meeting was conducted on the Unceded territory of the K'ómoks First Nation, the traditional keepers of this land.

On behalf of Council, Councillor Morin acknowledged Remembrance Day on November 11th, a time to reflect on the sacrifices of those who served and continue to serve in war, conflict, and peacekeeping. Councillor Morin encouraged residents to attend local

ceremonies, observe a moment of silence at 11 am., and wear a poppy to honour the courage and dedication of our veterans.

On behalf of Council, Councillor McCollum highlighted the upcoming Comox Valley Child Development Association (CVCDA) Telethon, a long-standing event that raises essential funds to support children and families with developmental challenges. Councillor McCollum recognized the dedication of CVCDA staff and volunteers, whose efforts provide crucial care and support to local families. Participation in the telethon helps raise funds and shows appreciation for their impactful work. Councillor McCollum encouraged everyone to tune in, donate, and support this important cause, noting that all contributions make a difference.

Mayor Wells advised Council that staff have identified an error on a previously adopted motion that requires a resolution of Council to resolve.

**Moved By** Hillian

**Seconded By** Cole-Hamilton

THAT Council, having passed the following motion at the September 11, 2024 Council meeting,

*“THAT Council provide interpretation clarity within Bylaw No. 2937 of the definition ‘project’ and of eligibility clause 4.1 (g) in order to allow for projects currently under construction to be eligible for Revitalization Tax Exemption, and direct staff to make amendments to Bylaw No. 2937 to reflect thereto; and*

*THAT Council accept Revitalization Tax Exemption Application No. 2301 as a retroactive permit that may apply to the time of application on **October 3, 2024**; and*

*THAT the City enter into a Revitalization Tax Exemption Agreement with Endure Projects, Inc. No. BC1227832 for the property legally described as LOT A SECTION 61 COMOX DISTRICT PLAN EPP102945 (397 5<sup>th</sup> Street); and*

*THAT the City issue a Tax Exemption Certificate to Endure Projects, Inc. No. BC1227832 for the property legally described as LOT A SECTION 61 COMOX DISTRICT PLAN EPP102945 (397 5<sup>th</sup> Street); and*

*THAT Council direct staff to include a review of "Downtown Courtenay Revitalization Tax Exemption Bylaw No. 2937, 2018" as part of the Downtown Local Area Planning Process.”*

direct staff to correct the time of the application from “October 3, 2024” to “October 3, 2023”; and

THAT Council reaffirm the Revitalization Tax Exemption for the property legally described as LOT A SECTION 61 COMOX DISTRICT PLAN EPP102945 (397 5th Street) be accepted as a retroactive permit that may apply to the time of the application on October 3, 2023.

**CARRIED**

**2. INTRODUCTION OF LATE ITEMS**

Without any late items or objections, Council proceeded with the agenda as presented.

**3. ADOPTION OF MINUTES**

**3.1 Regular Council Minutes - October, 9, 2024**

**Moved By** Cole-Hamilton

**Seconded By** Frisch

THAT Council adopt the October, 9, 2024 Regular Council minutes.

**CARRIED**

**4. STAFF REPORTS**

**4.1 Corporate Services**

**4.1.1 Parks and Public Spaces Regulation Bylaw – First Nations and Indigenous Serving Organization’s Referral Response and 3rd Reading Consideration**

**Moved By** Frisch

**Seconded By** Cole-Hamilton

THAT Council direct staff to amend the Parks and Open Spaces Regulation Bylaw No. 3121 by removing Section 7.3(f), which reads as follows

“Temporary shelters must not be left unattended”; and

THAT Council give third reading to the Parks and Open Spaces Regulation Bylaw No. 3121 as amended.

**CARRIED**

#### **4.1.2 2025 Council Meeting Calendar**

**Moved By** Frisch

**Seconded By** Morin

THAT Council approve the following 2025 Council Meeting Calendar:

January 15<sup>th</sup> and 29<sup>th</sup>

February 12<sup>th</sup> and 26<sup>th</sup>

March 12<sup>th</sup>

April 2<sup>nd</sup> and 23<sup>rd</sup>

May 7<sup>th</sup> and 21<sup>st</sup>

June 11<sup>th</sup> and 25<sup>th</sup>

July 16<sup>th</sup> and 30<sup>th</sup>

August 27<sup>th</sup>

September 10<sup>th</sup> and 17<sup>th</sup>

October 1<sup>st</sup> and 15<sup>th</sup>

November 5<sup>th</sup>, 19<sup>th</sup>, 26<sup>th</sup>, and 27<sup>th</sup>

December 10<sup>th</sup>; and

THAT the Council meetings be held at 4:00 pm in the Civic Room at the Comox Valley Regional District administration building located at 770 Harmston Avenue, Courtenay, BC unless otherwise posted.

**CARRIED**

#### **4.2 Development Services**

##### **4.2.1 Development Variance Permit No. 2404 – #1 - 204 Island Highway North-sign bylaw**

**Moved By** McCollum

**Seconded By** Frisch

THAT Council, vary Section 5.3.1 (a) of Sign Bylaw No.2760, 2013 from, “The combined sign area of all fascia signs plus canopy signs, awning signs, and projecting signs shall not exceed 20% of the area of the building face for a business premise to a maximum of 9.0 m<sup>2</sup> (96.9 sq. ft.)” to “The combined sign area of all fascia signs plus all canopy signs, awning signs, and projecting signs shall not exceed 23.5 % of the building face for a business premise to a maximum of 11.3 m<sup>2</sup> (121.6 sq. ft.)”; and

THAT Council approve Development Variance Permit No. 2404 for the subject property located at civic address #1 – 204 Island Highway North; and

THAT Council direct the Director of Development Services to issue Development Variance Permit No. 2404 for the subject property located at #1 – 204 Island Highway North.

**CARRIED**

**4.2.2 Development Variance Permit Application No. 2406 – 1975 Cliffe Avenue**

The applicants, J. Minton from JM Architecture Inc. and J. Bilg, the owner and daycare operator, were present to answer questions from the council.

They explained that the ground floor will feature an outdoor play area and six rooms for infants and toddlers (aged 3 months to 2.5 years), with each room accommodating 12 children. The second and third floors will have five rooms designed for children aged 3 to 5 years, with 24 spaces per room, and will also include a rooftop outdoor play area. Additionally, there are plans to construct a gymnasium for after-school programs, church groups, and other activities. The entire building will span 18,000 square feet across all three levels.

The applicants also noted that they are partnering with the Ministry of Education and Child Care for this project.

**Moved By Hillian**

**Seconded By Jolicoeur**

THAT Council vary the requirements of Zoning Bylaw No. 2500, 2007 as follows:

- a. Section 8.14.5(2) rear yard setback from “7.5 m” to “1.0 m”,

- b. Section 8.14.5(3) side yard setback where the back of a building is adjacent to or faces a side lot line from “6.0 m” to “4.5 m” on the southeast side yard,
- c. Section 8.14.6 maximum building height from “10.0 m” to “16.0 m”,
- d. Section 8.14.10(1) landscaping area from “7.5 m” to “1.5 m” inside the Cliffe Avenue property line and,
- e. Section 8.14.10(2) landscaped buffer area along the northwest property line from “2.0 m” to “1.5 m in width” and from “2.0 m in height” to “0.0 m in height” along the northwest property line; and

THAT Council approve “Development Variance Permit No. 2406 (1975 Cliffe Avenue)”; and

THAT Council direct the Director of Development Services to issue “Development Variance Permit No. 2406 (1975 Cliffe Avenue)”.

**CARRIED**

**4.2.3 Development Variance Permit No. 2408 – 1089 Braidwood Road**

**Moved By** Frisch

**Seconded By** McCollum

THAT Council, vary Section 5.3.1 (a) of Sign Bylaw No.2760, 2013 from, “The combined sign area of all fascia signs plus canopy signs, awning signs, and projecting signs shall not exceed 20% of the area of the building face for a business premise to a maximum of 9.0 m<sup>2</sup> (96.9 sq. ft.)” to “The combined sign area of all fascia signs plus all canopy signs, awning signs, and projecting signs shall not exceed 13.7 % of the building face for a business premise to a maximum of 18.6 m<sup>2</sup> (200.2 sq. ft.)”; and

THAT Council, approve Development Variance Permit No. 2408 for the subject property located at civic address 1089 Braidwood Road; and

THAT Council, direct the Director of Development Services to issue

Development Variance Permit No. 2408 for the subject property located at 1089 Braidwood Road.

**CARRIED**

#### **4.2.4 Downtown Local Area Plan Communication Strategy and Workplan**

**Moved By** Frisch

**Seconded By** Cole-Hamilton

THAT Council receive the report on the Downtown Local Area Plan Communication Strategy and Work plan and endorse the communication strategy outlined in Attachment 1 in order to guide community and interest holder engagement;

THAT Council pursuant to section 475 and 476 Local Government Act, Council will provide opportunities it considers appropriate for consultation with persons and parties it considers will be affected, including the Comox Valley Regional District, Town of Comox, Village of Cumberland, First Nations, and the province/provincial agencies and pursuant to section 476 Local Government Act, Council will consult with Comox Valley School District 71 prior to considering amendments to City of Courtenay Official Community Plan Bylaw No 3070, 2022.

**CARRIED**

### **4.3 Infrastructure and Environmental Engineering**

#### **4.3.1 Corporate Facilities Energy Management Plan Grant Support**

**Councillor Cole-Hamilton declared a conflict of interest due to his role on the executive team for the Federation of Municipalities, where he provides final approval for all green municipal fund projects. He left the meeting at 5:32 pm.**

**Moved By** Frisch

**Seconded By** McCollum

THAT Council direct staff to submit a full application to the Federation of Canadian Municipalities Green Municipal Fund to support the development of the Corporate Facilities Energy Management Plan.

**CARRIED**

**Moved By** Hillian

**Seconded By** Morin

THAT Council direct staff to submit an application to BC Hydro's Integrated Energy Audit funding program, to support the development of the Corporate Facilities Energy Management Plan.

**CARRIED**

**Councillor Cole-Hamilton returned at 5:39 pm.**

#### **4.4 Financial Services**

##### **4.4.1 Municipal and Regional District Tax (MRDT) 2025 Tactical Plan**

A presentation by Tanya Massa, Tourism Development Specialist at Experience Comox Valley (4VI).

**Moved By** McCollum

**Seconded By** Cole-Hamilton

THAT Council approve the "2025 Municipal and Regional District Tax (MRDT) Tactical Plan" and the "2025 Appendix 1.8 Affordable Housing Plan" as prepared by Experience Comox Valley (4VI) and staff.

**CARRIED**

**Without objection, the meeting was recessed at 6:12 pm. Mayor Wells reconvened the meeting at 6:34 pm.**

#### **4.5 Operational Services**

##### **4.5.1 Traffic Calming Guide and Policy Report**

A presentation by Stanley Li, Senior Transportation Engineer from Stantec.

**Moved By** Cole-Hamilton

**Seconded By** Frisch

THAT Council receive the traffic calming report and directs staff to implement the Traffic Calming Guide and Policy framework, and

THAT staff be directed to include operating budget implications in the 2025 financial plan for Council review and consideration.

**CARRIED**

#### **4.5.2 Traffic Calming Request Back Road**

A presentation by Stanley Li, Senior Transportation Engineer from Stantec.

**Moved By** Morin

**Seconded By** Frisch

THAT Council receives the "Back Road Traffic calming report" and direct staff to implement both Phase 1, Mini roundabout and Raised Medians and Phase 2, Guardrail Installation as outlined in the report, and;

THAT Staff be directed to include the associated funding requirements for the projects in the 2025 financial plan.

**CARRIED**

#### **4.6 Recreation, Culture and Community Services**

##### **4.6.1 685 Cliffe Avenue – Lease Renewal and Temporary Washroom and Storage Update**

**Moved By** Frisch

**Seconded By** Cole-Hamilton

THAT Council approve a one-year lease extension between the City of Courtenay and the Comox Valley Transition Society for the continued use of the property located at 685 Cliffe Avenue, PID: 006-102-930, Lot 3, Section 61 Comox District Plan VIP3817, as authorized and in accordance with Section 2.1(e) of the November 1, 2021 Lease Agreement; and

THAT Council authorize the Director of Recreation, Culture, and Community Services to execute the attached "Third Lease Renewal Amendment Agreement" between the City of Courtenay and Comox Valley Transition Society to continue to provide day centre services for individuals experiencing homelessness and temporary shelter (Attachment 3) .

**CARRIED**

**5. EXTERNAL REPORTS AND CORRESPONDENCE**

**5.1 Hudson Trunk Capacity Constraints**

**Moved By** Hillian

**Seconded By** McCollum

THAT Council receive the letter from Comox Valley Regional District - Hudson Trunk Capacity Constraints.

**CARRIED**

**6. INTERNAL REPORTS AND CORRESPONDENCE**

**6.1 Winter Shelter Strategy Update**

**Moved By** McCollum

**Seconded By** Frisch

THAT Council receive the “Winter Shelter Strategy Update” briefing note.

**CARRIED**

**7. BYLAWS - For Adoption:**

**7.1 Zoning Bylaw Amendment No. 3140, 2024 (small-scale multi-unit housing)**

**Moved By** Cole-Hamilton

**Seconded By** McCollum

THAT Council adopt Zoning Bylaw Amendment No. 3140, 2024 (small-scale multi-unit housing).

**CARRIED**

**8. COUNCIL REPORTS**

**8.1 Councillor Cole-Hamilton**

No report provided.

**8.2 Councillor Frisch**

No report provided.

**8.3 Councillor Hillian**

No report provided.

**8.4 Councillor Jolicoeur**

No report provided.

**8.5 Councillor McCollum**

No report provided.

**8.6 Councillor Morin**

No report provided.

**8.7 Mayor Wells**

No report provided.

**9. IN CAMERA RESOLUTION**

**Moved By** Hillian

**Seconded By** McCollum

THAT Council close the meeting to the public pursuant to the following subsections of the *Community Charter*:

90 (1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

(c) labour relations or other employee relations; and

(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality.

**CARRIED**

**The in camera portion of the meeting began at 8:22 pm.**

The open portion of the meeting resumed at 8:42 pm. and Council proceeded with an amendment to the agenda by adding a new item: 10.1 RISE AND REPORT - Comox Valley Regional District (CVRD) Notice of Inaugural.

**10. COUNCIL RESOLUTIONS**

**10.1 RISE AND REPORT - Comox Valley Regional District (CVRD) Notice of Inaugural**

Council rose and reported the following resolution:

*THAT the following appointments be made to the Comox Valley Regional District effective November 5, 2024:*

***Comox Valley Regional District Board of Directors:***

*Councillor McCollum: 5 votes*

*Councillor Morin: 5 votes*

*Councillor Cole-Hamilton: 5 votes*

*Councillor Hillian: 4 votes*

*Alternate Directors: Mayor Wells, Councillor Jolicoeur*

***Directors to Comox Valley Water Committee:***

*Councillor Morin: 2 votes*

*Councillor Hillian: 2 votes*

*Councillor Cole-Hamilton: 2 votes*

*Mayor Wells: 1 vote*

*Alternate Directors: Councillor McCollum, Councillor Jolicoeur*

***Directors to Regional District Sewage Commission:***

*Councillor Hillian*

*Councillor Cole-Hamilton*

*Councillor McCollum*

*Alternate Directors: Councillor Morin, Mayor Wells, Councillor Jolicoeur*

***Directors to Regional Parks and Trails Committee:***

*Councillor McCollum*

*Councillor Morin*

*Councillor Cole-Hamilton*

*Alternate Directors: Councillor Hillian, Councillor Jolicoeur, Mayor Wells.*

Council at 8:52 pm, during the in camera portion of the meeting, extended the meeting to 9:15 pm in accordance with section 17.2 of the *Council Procedure Bylaw No. 2730*.

**11. ADJOURNMENT**

Mayor Wells terminated the open portion of the meeting at 8:52 pm. Following the conclusion of the restricted in camera portion of the meeting, Mayor Wells terminated the meeting at 9:08 pm.

**CERTIFIED CORRECT**

Adopted by Council [MONTH] [DAY], 2024

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Mayor Bob Wells

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Kate O'Connell, Corporate Officer